IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MUJADDID R. MUHAMMAD,	}
Petitioner,	/) Civil Action No. 05-75 Erie
V.	OWII AGUGII NG. GO 70 Elle
JAMES F. SHERMAN, Warden,	{
Respondent.	{

MEMORANDUM ORDER

This habeas corpus action was received by the Clerk of Court on March 4, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 7], filed on March 10, 2006, recommended that Petitioner's Petition [Doc. No. 1] be dismissed for lack of jurisdiction. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Defendant. Petitioner filed objections [Doc. No. 8] on March 24, 2006. After <u>de novo</u> review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 27th day of March, 2006;

IT IS HEREBY ORDERED that the Plaintiff's Petition [Doc. No. 1] is DISMISSED for lack of jurisdiction.

The Report and Recommendation [Doc. No. 7] of Magistrate Judge Baxter, filed on March 10, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin United States District Judge

cm: All parties of record

Susan Paradise Baxter, U.S. Magistrate Judge